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Message Text

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ACTION SS-25

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S E C R E T USUN 1489

EXDIS

E. O. 11652: XGDS
TAGS: PFOR, MG
SUBJ: DIPLOMATIC RELATIONS WITH MONGOLIA: APRIL 20 MTG

REF: USUN 1439

BEGIN SUMMARY. MONGOLIAN PERMREP PUNTSAGNOROV AT APRIL 20 MEETING SAID MPR WISHES SIGN JOINT COMMUNIQUE ESTABLISHING DIPLOMATIC RELATIONS EITHER APRIL 28 OR MAY 3 AND AGREES TO COMPLETE NEGOTIATIONS ON CONSULAR FUNCTIONS AND FACILITATIVE MEASURES WITHIN SIXTY DAYS AFTER DIPLOMATIC RELATIONS ESTABLISHED. MPR ALSO WISHES TO DELETE THIRD PARA OF US- PROPOSED JOINT COMMUNIQUE AND MAKE TWO OTHER CHANGES. END SUMMARY.

1. AMB SCHAUFELE, ACCOMPANIED BY MISOFFS THAYER AND WERNER, MET APRIL 20 AT MONGOLIAN MISSION WITH PUNTSAGNOROV, COUNSELOR ORCHIBAL AND THIRD SECRETARY BAZARKHAND. PUNTSAGNOROV SAID HIS GOVT SENT INSTURCTIONS ON NEGOTIATIONS APRIL 7, FOUR DAYS AFTER LAST NEW YORK MEETING, BUT BECAUSE OF TRANSMITTAL DELAY, MONGOLIAN MISSION DID NOT RECEIVE CABLE UNTIL APRIL 18.

2. PUNTSAGNOROV SAID WITH REGARD TO EXCHANGE OF NOTES ON FACILITATION OF OPERATIONS AND EXERCISE OF CONSULAR FUNCTIONS, MPR AGAIN ACKNOWLEDGES ITS PRINCIPLED CONSENT TO EXCHANGE OF SUCH NOTES. NOTING THAT PROVISIONS OF DRAFT NOTES REQUIRE ADDITIONAL TIME, HOWEVER, MPR PROPOSES THAT TWO SIDES " TAKE OBLIGATION" TO REACH AN AGREEMENT AND EFFECT EXCHANGE OF NOTES WITHIN DEFINITE PERIOD OF TIME, I. E., NOT MORE THAN SIXTY DAYS FOLLOWING PUBLICATION OF JOINT COMMUNIQUE.
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3. WITH REGARD TO COMMUNIQUE, MPR ASKED FOR FOLLOWING CHANGES:

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A. DELETION OF THIRD PARA WITH UNDERSTANDING QUESTIONS OF DEVELOPMENT OF TRADE, CULTURAL AND OTHER RELATIONS ACCORDANCE WITH INTERNATIONAL LAW AND PRACTICES. ESTABLISHMENT DIPLOMATIC RELATIONS IMPLIES DEVELOPMENT OF COOPERATION BETWEEN TWO COUNTRIES IN OTHER FIELDS, INCLUDING TRADE AND CULTURAL EXCHANGES.

B. ADD TO FIRST SENTENCE, FIRST PARA OF DRAFT THE PHRASE "... PROCEEDING FROM THE PRINCIPLES OF EQUALITY, NON-INTERFERENCE WITH EACH OTHER' S INTERNAL AFFAIRS, MUTUAL RESPECT AND MUTUAL BENEFIT,". THIS WOULD BE INSERTED AFTER "... AT THE UNITED NATIONS IN NEW YORK," AND BEFORE "... HAVE DECIDED..."

C. ADD " AT AMBASSADORIAL LEVEL" BEFORE WORD " EFFECTIVE" AT END OF FIRST PARA.

D. NO CHANGES IN SECOND PARA WHICH MPR ACCEPTS AS PROPOSED.

4. IF USG AGREES TO ABOVE, MPR PROPOSES SIMULTANEOUS RELEASE OF TEXT OF JOINT COMMUNIQUE ON EITHER APRIL 28 OR MAY 3. DATE OF PUBLICATION WOULD BE CONSIDERED OFFICIAL DATE FOR ESTABLSIHMENT DIPLOMATIC RELATIONS. (PUNTSAGNOROV SAID ORIGINAL INSTRUCTIONS HAD PROPOSED APRIL 19 AS EFFECTIVE DATE OF ESTABLISHMENT DIPLOMATIC RELATIONS, BUT BECAUSE OF TRANSMITTAL DELAY DATE MOVED BACK.) TEXT WILL BE SIGNED IN ENGLAISH ANDMONGOLIAN, BUT RUSSIAN WILL BE CONSIDERED WORKING LANGUAGE. (COPIES OF MPR CHANGES IN ENGLISH AND RUSSIAN, PREPARED BY MONGOLIAN MISSION, DATAFAXED TO EA/ PRCM-ROGER SULLIVAN.)

5. PUNTSAGNOROV SAID HIS GOVT ACCEPTS THE IDEA OF EXCHANGING NOTES ON EXERCISE OF CONSULAR FUNCTIONS AND FACILITATION OPERATION, BUT BELIEVES NEGOTIATIONS ON THESE NOTED WILL TAKE SOME TIME. HE POINTED OUT THAT AT APRIL 3 MEETING, HE SAID MPR HAD NOT PREVIOUSLY EXCHANGED SUCH NOTES WHILE SIMULTANESOUSLY NEGOTIATING DIPLOMATIC RELATIONS. SINCE ULAANBAATAR RESPONDED TO US- PREPARED DRAFTS IN FOUR DAYS, IT EFFECTIVELY HAD AGREED IN PIRNCIPLE TO EXCHANGE OF NOTES BUT AT LATER TIME. PUNTSAGNOROV ALSO SAID PARA 2 OF COMMUNIQUE ALREADY INCLUDED REFERENCE TO ESTABLISHMENT OF EMBASSIES ON BASIS INTERNATIONAL LAW AND

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PRACTICE WHICH MONGOLIA OBSERVES.

6. SCHAUFELE SAID HE WOULD SEND MPR PROPOSED SHANGES TO DEPT FOR COMMENT. IT IMPOSSIBLE TO PREDICT WASHINTON' S REACTION BUT IT LIKELY TO ASK WHY MPR DOES NOT WISH NEGOTIATE EXCHANGE OF NOTES AT SAME TIME AS DIPLOMATIC RECOGNITION IF TEXTS IN ACCORDANCE WITH INTERNATIONAL LAW AND PRACTICE. ADDITIONALLY, SCHAUFELE SAID IF TARGET DATE OF SICTY DAYS SET FOR COMPLETION OF NEGOTIATIONS OF NOTES, THERE NO ASSURANCE WE CAN COMPLETE THESE NOTES WITHIN THIS DEADLINE.

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7. PUNTSAGNOROV SAID IN HIS PERSONAL VIEW, SINCE MPR HAS PROPOSED THE SIXTY DAY TIME LIMIT, BE BELIEVES HIS GOVT WILL FEEL OBLIGED TO ACHIEVE THIS GOAL. IF THE MPR FELT THERE WAS AN UNRESOLVABLE PROBLEM IN THE NOTES, IT WOULD NOT HAVE AGREED TO SIXTY DAY TIME LIMIT. HIS GOVT HAS JUST RECEIVED THE PROPOSALS AND WHILE THERE MAY BE SOME CHANGES IN US TEXT, THEY COULD PRESUMABLY BE NEGOTIATED WITHIN TIME SET. US PROPOSALS QUITE NEW FOR MPR AND IT MAY BE NECESSARY TO SEE HOW OTHER GOVTS HANDLE SUCH SITUATIONS.

8. SCHAUFELE EXPRESSED APPRECIATION FOR SPEED OF MPR RESPONSE, AND PROMISED TO CALL AS SOON AS ANSWER RECEIVED FROM WASHINGTON.
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